

Notice of Allowability

Application No.

10/699,000

Examiner

Gary Chin

Applicant(s)

YOSHIHARA ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 2/2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/12/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


GARY CHIN
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Westerman on 12/12/05.

The application has been amended as follows:

(I) In claim 1, line 4, the term "a radio base station" has been changed to --one of a plurality of radio base stations--.

(II) In claim 1, line 9 and claim 6, line 3, the term "a radio base station" has been changed to --one of the radio base stations-- respectively.

(III) In claim 1, line 10, before "which", the phrase --from one of the radio base stations-- has been inserted.

(IV) In claim 1, line 16, after "terminal", the phrase --based on the calculated grace time-- has been inserted.

(V) In claim 1, line 21, after "determination", the phrase --that the mobile terminal is off the path-- has been inserted.

(VI) In claim 1, line 22, the words "and contents is delivered" has been changed to --otherwise, the contents are delivered--.

(VII) In claim 2, line 3, before "base", the word --the-- has been inserted.

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(VIII) In claim 3, line 5, the term “the identified base station” has been changed to --one of the identified base stations--.

(IX) In claims 4 and 5, both on line 3, the words “a plurality of” have been changed to --the-- respectively. Further, on line 5 of claim 5, the words “plurality of” have been deleted.

(X) In claim 6, line 5, before “contents”, “a” has been changed to --said--.

(XI) In claim 7, line 4, after “used”, the phrase --to calculate said grace time-- has been inserted.

(XII) In claim 8, line 5 and claim 9, line 3, after “used”, the phrase --to calculate said scheduled time-- has been inserted respectively.

(XIII) In claim 11, lines 5-6, the words “, and the state continues longer than allowable time” have been replaced with --for longer than an allowable time--.

2. The following is an examiner’s statement of reasons for allowance:

The claimed path predicting method for a content delivery system in which a grace time for the mobile terminal to pass through the contents delivery base station is first calculated, then calculates a scheduled time to deliver the reserved contents to the mobile terminal based upon the calculated grace time and subsequently delivers the contents to the mobile terminal when it is determined that the mobile terminal is not off the path, in combination with the other claimed features, has neither been taught nor made obvious by the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

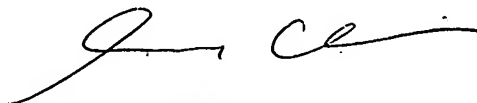
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Chin whose telephone number is (571) 272-6959. The examiner can normally be reached on Monday-Friday 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GARY CHIN
PRIMARY EXAMINER